

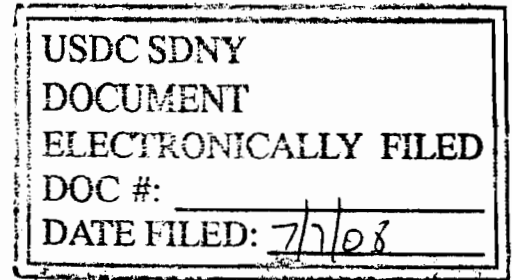
**Mitchell Dinnerstein**

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Hon. Judge Sidney Stein  
United States Courthouse  
Southern District of New York  
500 Pearl Street  
New York, New York 10013

**MEMO ENDORSED**

**RE: USA V. LUCERO LEOBARDO GOMEZ, et. al.**

**My client: JUAN CLAUDE NAUT**

**08-cr-0032**

Dear Judge Stein:

I am writing to Your Honor requesting an adjournment in the above-entitled case. The case is presently scheduled for trial on July 21, 2008. My client Juan Claude Naut is charged with violations of law dealing with money laundering and distribution of a controlled substance, pursuant to Title 18 U.S.C. § 1956(a)(1)(B)(i) and Title 21 U.S.C. 841(b)(1)(A). He is presently out on bail. The Government and co-counsel Martin Schmukler consents to this application.

I am making this request for the following reasons.

First, my client, Juan Naut, is a Spanish speaking client. When I speak with him about the case with an interpreter, I had noticed that he seemed to have had a very difficult time comprehending on our discussions. He seems to have some memory lapses and often says things that indicate that he may not have understood the questions put to him. Sometimes with Spanish clients, I first wonder whether the issue has to do more with interpretation than with comprehension. Recently, there was a proffer session with the Government and the same issues that I noticed with Mr. Naut were issues that the Government attorney also had with him. I then believed that comprehension or intelligence. was the issue that needed to be addressed. To try to better understand this issue, I am attempting to hire a psychologist who can conduct an examination and perform, if necessary, neuropsychological examinations. These tests may shed some light to help better understanding what limitations Mr. Naut has. In the last couple of days after the proffer session with the Government, I have made numerous efforts to obtain the services of a psychologist and/or neuro-psychologist who could conduct the appropriate tests.

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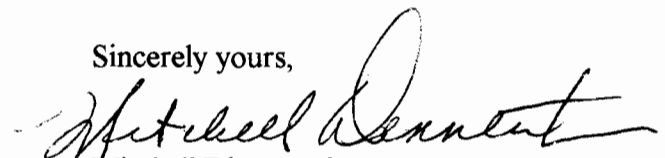
Unfortunately, due to the holiday, I have been unable to get the necessary expert<sup>1</sup>.

Secondly, this case will most likely be resolved by a plea. Whether the Government will offer a plea to a lesser charge to better address his actual conduct in this case or whether Mr. Naut can proffer to obtain "safety valve" eligibility may take more time than we have now before the trial date. To do this fairly, I would like an opportunity to have Mr. Naut thoroughly examined. I do not believe that this can be done prior to the trial date.

I am suggesting that this case be continued until August 11, 2008. That date was originally set up as a backup date for the trial. By that time, the examinations can be completed and the Government would be in a better position to understand the particular circumstances with Mr. Naut.

My client and I will waive any speedy trial rights we have under Title 18 U.S.C. § 3161. It is my belief that the granting of this continuance serves the interests of justice and far outweighs the best interests of the public and the defendant in a speedy trial.

Sincerely yours,



Mitchell Dinnerstein

Attorney for Juan Claude Naut

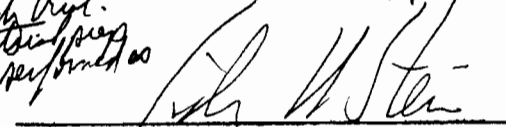
cc.: Parvin Moyne

cc.: Marty Schmuckler

7/7/08

*Trial adjourned to Aug 11 by Gomez + Naut. Pretrial submissions due July 28. Trial excluded on consent from 7/7 until 8/11 pursuant to 18 USC 3161 (A)(8)(A). The ends of justice outweigh the interests of the public + the def's in a speedy trial. The exclusion is to allow pretrial prep and for an evaluation to be performed as requested.*

SO ORDERED 7/7/08


SIDNEY H. STEIN  
U.S.D.J.

<sup>1</sup> This is a CJA case. I will provide the Court with an Order and Affidavit when I obtain the expert.